

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

| | | |
|--------------------------------|---|----------------------------|
| FELICITY MARY NEWMAN; ET AL. |) | Civ. No. 87-4757-WDK (CWx) |
| |) | |
| Plaintiffs, |) | |
| vs. |) | |
| |) | |
| IMMIGRATION AND NATURALIZATION |) | |
| SERVICE; ET AL., |) | |
| |) | |
| Defendants. |) | |
| _____ |) | |

LULAC/Newman "Late Amnesty" Class Member Explanation Form

This case is commonly known as the "LULAC late amnesty case." The case against the Immigration and Naturalization Service ("INS") has been certified as a class action. Read this explanation carefully as it may effect your right to legalize your status under the 1986 "amnesty" law.

On July 2, 1999, this Court issued a permanent injunction requiring the INS to accept and process amnesty applications from "front-desked" class members and identified them as follows:

Those who attempted to file a legalization application and fee with the INS or a Qualified Designated Entity (QDE), between May 5, 1987, and May 4, 1988 (the legalization application period), but the INS or QDE refused to accept the application because the applicant had traveled outside of the United States and returned with a visitor's visa, student visa, or any other type of visa or travel document.

The QDEs were private groups, including many community-based and religious groups, authorized by the INS to accept legalization applications during the 1987-88 application period.

If you believe you are a "front-desked" class member, you may have the right to file and have the INS process your amnesty application, and to be issued or reissued a temporary work permit. The Court has established the following procedures for requesting that your amnesty application be accepted:

1) **ON OR BEFORE FEBRUARY 2, 2001**, "front-desked" class members must obtain, fill out and then file with the INS a "Legalization Questionnaire" form. These forms may be obtained from any INS office or from Peter Schey and Carlos Holguin, the attorneys for the class, whose address is listed at the end of this document. When you fill out the Legalization Questionnaire form, you should provide the INS as much detail as possible regarding your attempt to file an application between May 5, 1987, and May 4, 1988, with the INS or a QDE. For example, state the date or approximate date (month and year) when you attempted to file an application, the location of the INS or QDE office where your application and fee were rejected, and if anyone accompanied you when your application was rejected, give their names and addresses, and/or the names and addresses of any persons whom you told that the INS or a QDE refused to accept your application. When you file your Legalization Questionnaire form with the INS, you may also provide a sworn written statement from

any person who accompanied you to an INS or QDE office between May 5, 1987, to May 4, 1988 when your application was not accepted, or from any person whom you told that the INS or a QDE refused to accept your application. If you still have the original legalization application which was rejected by the INS during the May 5, 1987, to May 4, 1988 application period, or a copy, mail a copy to the INS with your Legalization Questionnaire form. However, it is not required that you still have in your possession the original or a copy of the amnesty application which was rejected by the INS or a QDE during the application period in order to apply now. Mail your completed Legalization Questionnaire form and any supporting documents to the address listed on the Legalization Questionnaire form. For your own protection, keep a copy of your Legalization Questionnaire form and any other documents you send to the INS. You may also send a copy of your completed Legalization Questionnaire form and any supporting documents to your class counsel in this case, Peter Schey & Carlos Holguin, whose address appears at the end of this document. Do not mail your documents to the Court.

2) Once the INS receives your completed Legalization Questionnaire form and any supporting statements you include with it, the INS will review these documents and issue a decision whether the agency believes you are a "front-desked" class member. If the INS believes that you are a "front-desked" class member, it will send you a letter telling you of this decision and a blank amnesty application form (I-687). INS's letter will also tell you where you may file the amnesty application, and obtain or renew permission to work and protection from deportation while your application for amnesty is being processed by the INS.

3) If the INS believes you are not a "front-desked" class member, it will advise you in writing of the individualized reasons for its decision, and send a copy of the denial letter to your class counsel, Peter Schey and Carlos Holguin.

4) If the INS sends you a letter stating that you are a "front-desked" class member, and you follow its instructions and file an amnesty application, you may be granted permission to work and protection from deportation if the INS decides that your application shows that you appear to be eligible for legalization.

5) Do not contact the Court with questions regarding your rights under the Newman/LULAC case. If you have any questions regarding this Notice, or believe that the INS has not treated you in accordance with this Notice, or has unfairly rejected your claim that you are a "front-desked" class member, you may send a letter to class counsel Peter Schey and Carlos Holguin at the address below:

Center for Human Rights and Constitutional Law
256 S. Occidental Blvd.
Los Angeles, CA 90057

In an emergency, for example if you are facing immediate deportation, you may telephone Peter Schey at (213) 388-8693, ext. 104, or Carlos Holguin at (213) 388-8693 ext. 109. All non-emergency matters must be handled with letters to the address above.

Dated: July 2, 1999

William Keller
United States District Judge

NOTICE TO LATE AMNESTY CLASS MEMBERS IN NEWMAN V. INS (LULAC V. INS)

READ THIS NOTICE CAREFULLY

YOUR RIGHT TO LEGALIZE YOUR STATUS UNDER THE 1986 "AMNESTY" LAW MAY BE AFFECTED

On July 2, 1999, this Court Ordered the INS to accept amnesty applications from persons who attempted to file an amnesty application and filing fee with the Immigration and Naturalization Service (INS) or a Qualified Designated Entity (QDE) between May 5, 1987 and May 4, 1988, but were "front-desked": their completed application and fee were refused by the INS or a QDE because they had traveled outside of the United States and came back using a visa or travel document. If you were front-desked during the 1987-88 application period, the INS must accept an amnesty application from you, and process the application.

To establish that you were front-desked during the 1987-88 amnesty program, you must file a "Legalization Questionnaire" form with the INS before February 2, 2001.

You may obtain a "Legalization Questionnaire" form and "LULAC Class Member Explanation Form" from any INS office or from the class lawyers:

Peter A. Schey, Carlos Holguin
Center for Human Rights & Constitutional Law
256 S. Occidental Blvd.
Los Angeles, Ca. 90057
213/388-8693 ext. 106; fax 213/386-9484

Dated: July 2, 1999

William Keller
United States District Judge
Central District of California